

In the Court of Appeals of the State of Alaska

Norman Ronald Seton,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-12820**

Order

Date of Order: **10/27/20**

Trial Court Case No. **3AN-16-00936CR**

The Appellant, Norman Ronald Seton, filed a felony merit appeal in this Court. In *Seton v. State*, Alaska App. Summary Disposition No. 0151 (September 9, 2020), this Court affirmed the superior court’s dismissal of Seton’s merit appeal.

Under Alaska Appellate Rule 209(b)(5), at the conclusion of any appellate case in which a criminal defendant is represented by court-appointed counsel, the Clerk of the Appellate Courts is directed to “enter judgment against the defendant for the cost of appointed appellate counsel unless the defendant’s conviction was reversed by the appellate court.” Because Seton was represented by court-appointed counsel in this appeal and his conviction was not reversed, the Appellate Court Clerk’s Office intends to enter judgment against him in the amount of \$1500 for the cost of counsel. *See* Alaska Appellate Rule 209(b)(6).

Seton now seeks judicial review of the Clerk’s decision. *See* Alaska Appellate Rule 503(h)(2)(A). In his opposition to the entry of judgment for the cost of appellate counsel, Seton contends that he has been incarcerated during this appeal and is indigent. But a claim of indigence is insufficient to relieve Seton from the scope of Appellate Rule 209(b).

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In sum, because Seton was represented by court-appointed counsel in this appeal and his conviction was not reversed, the decision of the Appellate Court Clerk to enter a \$1500.00 judgment for the cost of counsel under Appellate Rule 209(b) is AFFIRMED.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

cc: Norman Ronald Seton at Cook Inlet Pretrial

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